

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULA F. COHEN, on behalf of the United States of America,

No. C 12-02301 SI

Plaintiff/Relator,

**ORDER TO SHOW CAUSE RE DISMISSAL FOR FAILURE TO PROSECUTE**

v.

LISA TRESCA, MICHAEL QUIROGA, and DOES 1-100, inclusive,

Defendants.

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This matter came on for a regularly-scheduled case management conference on Friday, August 10, 2012. No one appeared. Review of the file suggests that the summons and complaint have not yet been served on defendants.

Accordingly, plaintiffs are hereby **ORDERED to show cause, in writing filed with the Court no later than August 20, 2012** why they failed to appear and whether they intend to continue with this action. Plaintiffs are cautioned that if they do not appear and/or do not comply with Court orders, this case will be dismissed for failure to prosecute.

Additionally, plaintiffs are reminded that Rule 4(m) of the Federal Rules of Civil Procedure provides that if service of the summons and complaint is not made on the defendant within 120 days of filing the complaint, the court "shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time . . ." This action was filed on May 8, 2012; 120 days thereafter will be September 5, 2012. **Plaintiffs are therefore required to serve defendants no later**

1   **than September 5, 2012.** If they do not do so, this action will be dismissed without prejudice in  
2 accordance with Rule 4(m).

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## **IT IS SO ORDERED.**

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Susan Illston  
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United States District Judge